



DEPARTMENT OF THE NAVY

NAVAL FACILITIES ENGINEERING COMMAND
1322 PATTERSON AVENUE, SE, SUITE 1000
WASHINGTON NAVY YARD, DC 20374-5065

5720

Ser BD/099

SEP 7 7 2018

Mr. David Delleart
2819 Appalachian Highway
Pineville, WV 24874

Dear Mr. Delleart,

Subj: YOUR FREEDOM OF INFORMATION ACT (FOIA); CASE NUMBER
DON-NAVY-2018-008498

We are writing to provide an additional partial response to your request for documents under the FOIA. We previously provided a partial response to your request for documents on June 20, 2018. Enclosed are six responsive documents that are identified as enclosures C-11, C-12, C-14, C-15, and C-16 in the investigation report that was released to you on June 20, 2018. Enclosures C-11, C-12, C-14, and C-15 are released to you in full without redactions. Portions of Enclosure C-14 are being withheld under the following FOIA exemptions:

a. Exemption 5 (5 U.S.C. § 552(b)(5)) incorporates the privileges that protect materials from discovery in litigation, including the deliberative process, attorney work-product, attorney-client, and commercial information privileges.

b. Exemption 6 (5 U.S.C. § 552(b)(6)) consists of personal information, (i.e., names, home addresses, phone numbers, etc.), and we have determined that the individuals to whom this information pertains have a substantial privacy interest in withholding it.

Furthermore, Enclosures C-04 and C-08 of the investigation report that was released to you on June 20, 2018 can be found at the following URLs:

a. C-04: NAVFAC P-307, Management of Weight Handling Equipment (including changes 1, 2, and 3):

<https://www.navfac.navy.mil/content/dam/navfac/Specialty%20Centers/Navy%20Crane%20Center/PDFs/P307/P307-Manuals/NAVFAC%20P-307%20June%202016%20Weight%20Handling%20Program%20Management.pdf>

b. C-08: NAVFAC MO-124, Mooring Maintenance Manual - AUG1987

<https://www.wbdg.org/FFC/NAVFAC/OPER/mo124.pdf>

Enclosures C-01 through C-03, C-05 through C-07, C-09 through C-10, and C-13 are not records maintained by the Naval Facilities Engineering Command; however, you may access or request access to those documents via the following URLs:

a. C-01: Naval Vessel Registry (NVR) record for Aviation Transportation Lighter, YVC 23 – 17SEP2012

http://www.nvr.navy.mil/SHIPDETAILS/SHIPSDETAIL_YCV_23_2797.HTML

b. C-02: USCG Aids to Navigation Manual-Seamanship COMDTINST M16500.21A – MAR2012

<https://www.dcms.uscg.mil/Our-Organization/Assistant-Commandant-for-C4IT-CG-6/The-Office-of-Information-Management-CG-61/About-CG-Directives-System/Commandant-Change-Notices/smdpage2788/2/smdsort2788/publicationdate/>

c. C-03: EM 385-1-1, U.S. Army Corps of Engineers Safety and Health Requirements Manual

<http://www.usace.army.mil/Safety-and-Occupational-Health/Safety-and-Health-Requirements-Manual/>

d. C-05: ASME B30.9-2014 Slings – 26FEB2015

[https://www.asme.org/products/codes-standards/b309-2014-slings-\(1\)](https://www.asme.org/products/codes-standards/b309-2014-slings-(1))

e. C-06: ASME B30.26-2010 Rigging Hardware – 30JUN2010

<https://www.asme.org/products/codes-standards/b3026-2015-rigging-hardware>

f. C-07: ASME B30.8-2010 Floating Cranes and Floating Derricks – 15MAR2010

[https://www.asme.org/products/codes-standards/b308-2015-floating-cranes-floating-derricks-\(1\)](https://www.asme.org/products/codes-standards/b308-2015-floating-cranes-floating-derricks-(1))

g. C-09: OPNAV INSTRUCTION 5450.348, Mission, Functions, and Tasks of Naval Facilities Engineering Command – 24APR2012

<https://doni.documentservices.dla.mil/Directives/05000%20General%20Management%20Security%20and%20Safety%20Services/05-400%20Organization%20and%20Functional%20Support%20Services/5450.348.pdf>

h. C-10: UFC 4-159-03, Design: Moorings - 03OCT2005, and Change 1 - 01SEP2012

http://www.public.navy.mil/NAVSAFECEN/Documents/afloat/Surface/DckAr/Deck_Advisories/ANCHORING_and_MOORING/SHIPS%20MOORING%20PLAN.pdf

i. FAR Subpart 46.2

https://www.acquisition.gov/far/html/Subpart%2046_2.html

In view of the above, you may consider this to be an adverse determination that may be appealed. Since you have created an account in FOIAonline, you may submit an appeal directly within the web-based system. To do this, you would log in to your account, retrieve your original request, and then click on the “Create Appeal” tab in the left-hand column. The basic information from your request will be duplicated for you, and then you can type in the basis of your appeal. If you prefer to use regular mail, you may submit an appeal to:

The Department of the Navy
Office of the General Counsel (ATTN: FOIA APPEALS)
1000 Navy Pentagon, Room 5A532
Washington, DC 20350-1000

Your appeal, if any, must be postmarked within 90 calendar days from the date of this letter and should include a copy of your initial request, a copy of this letter, and a statement indicating why you believe your appeal should be granted. For any further assistance and to discuss any aspect of your request, you have the right to contact the Department of the Navy FOIA Public Liaison, Mr. Christopher Julka, at christopher.a.julka@navy.mil or (703) 697-0031. Additionally, you have the right to contact the Office of Government Information Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, MD 20740-01, ogis@nara.gov; (202) 741-5770; toll free at (877) 684-6448; or facsimile at (202) 741-5769.

Further questions regarding the action this office has taken may be directed to Abby Machalec, abby.machalec@navy.mil. Please refer to your FOIA case number DON-NAVY-2018-008498 whenever corresponding about this request.

Sincerely,



P.A. POLLOCK
Chief Management Officer

Copy to:
NAVFAC (00C)